

RECEIVED

42-222 POD
07/2011

SEP 21 2011

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for an entire water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right or to report an ownership change for a portion of a water right. See the *Application for Transfer Instructions* for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☒ Change diversion point(s) ☒ Add diversion point(s) ☐ Ownership change

1. **APPLICANT(S)** Don L or Ruth Mae Adams Phone 208.397.4641
 2. **MAILING ADDRESS** 2201 W 1200 S City Sterling
 State ID Zip 83210 Email _____

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) required for water right ownership changes; see *fee schedule*.
☒ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. **LIST WATER RIGHT NUMBER(S)** 35-2207, 35-11033, & 35-2030

- ☒ Attach a copy of the water right(s) as recorded, available at www.idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is 6.44 cubic feet per second and/or _____ acre-feet per annum.
 (diversion rate) (storage volume)

5. **POINT OF DIVERSION** – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at www.idwr.idaho.gov, *Water Right Transfers, Online Resources*.

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
04S	32E	32		NE	NW	NE	Bingham	Unnamed Stream	
04S	32E	32		NE	NW	NW	Bingham	Unnamed Drain	Injection
04S	32E	32		NE	NW	NW	Bingham	Unnamed Drain	Rediversion

6. GENERAL INFORMATION

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

A diversion to a 24 hour irrigation pond pumped into pipelines to upper and lower property, then to wheel lines for sprinkler irrigation.

- b. Who owns the property at the point(s) of diversion? Applicant

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe _____

7. **MAP** - ☒ Attach a map of the diversion, measurement, control and distribution system. Clearly label the map with township, range, section and $\frac{1}{4}$ $\frac{1}{4}$ of section information. The *Map Tool*, available at <http://maps.idwr.idaho.gov/Transfer/ApplicationLayouts/> provides a satisfactory template for creating the required map.

8. **SIGNATURE** - The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

Ruth M Adams, Idaho POA
Signature of applicant or authorized agent

Ruth M Adams
Print name and title if applicable

9/19/2011
Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

9. **FEE** - ☒ The application filing fee provided in Section 42-221, Idaho Code, must be submitted with the application for transfer. The Application fee is based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The *Fee Schedule* is available at www.idwr.idaho.gov/WaterRightTransfers/Step4 and in the *Application for Transfer Instructions*.

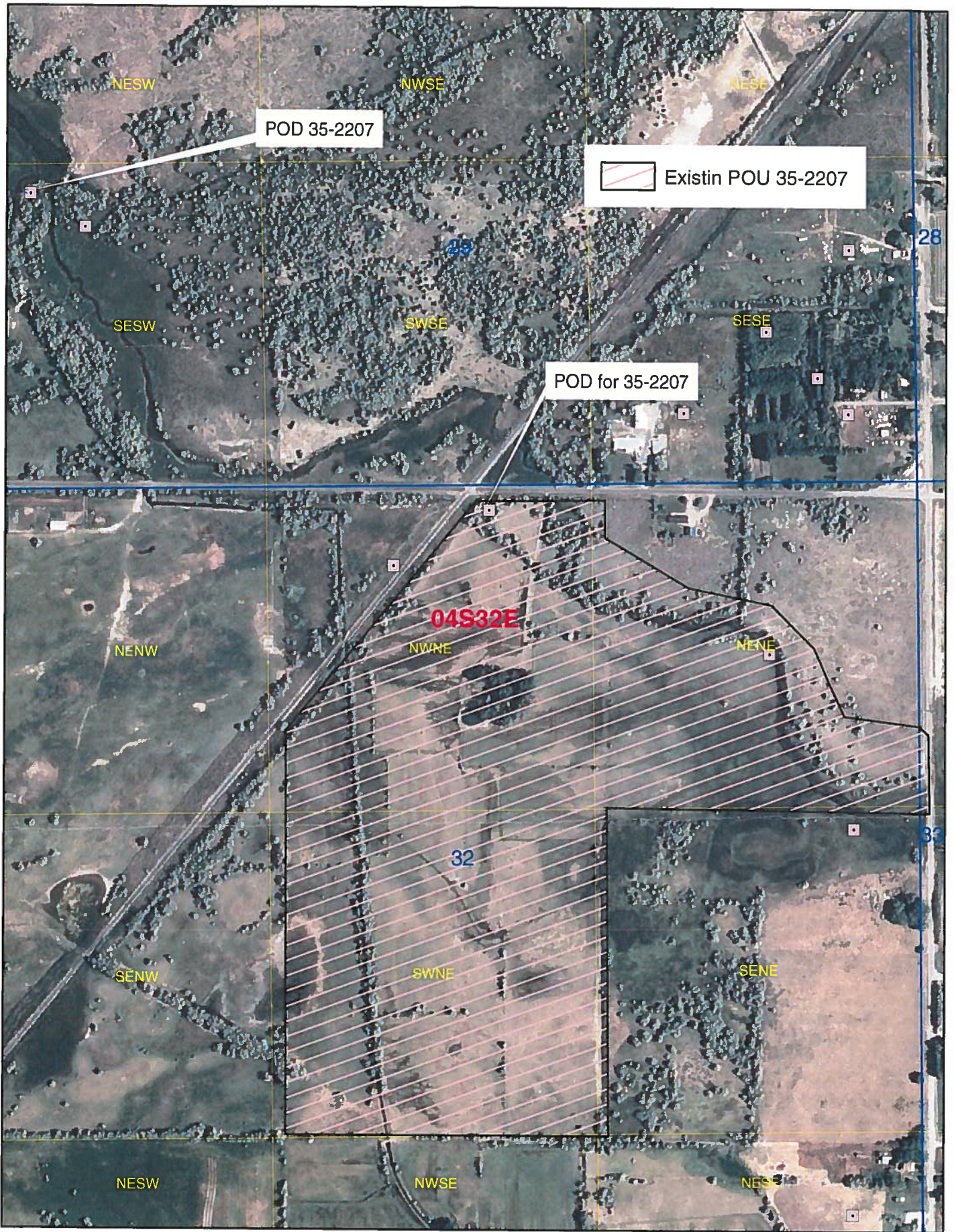
FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments. Received by _____ Date _____

Fee paid \$820.00 Date 8/29/2011 Received by Km Receipt # E036922

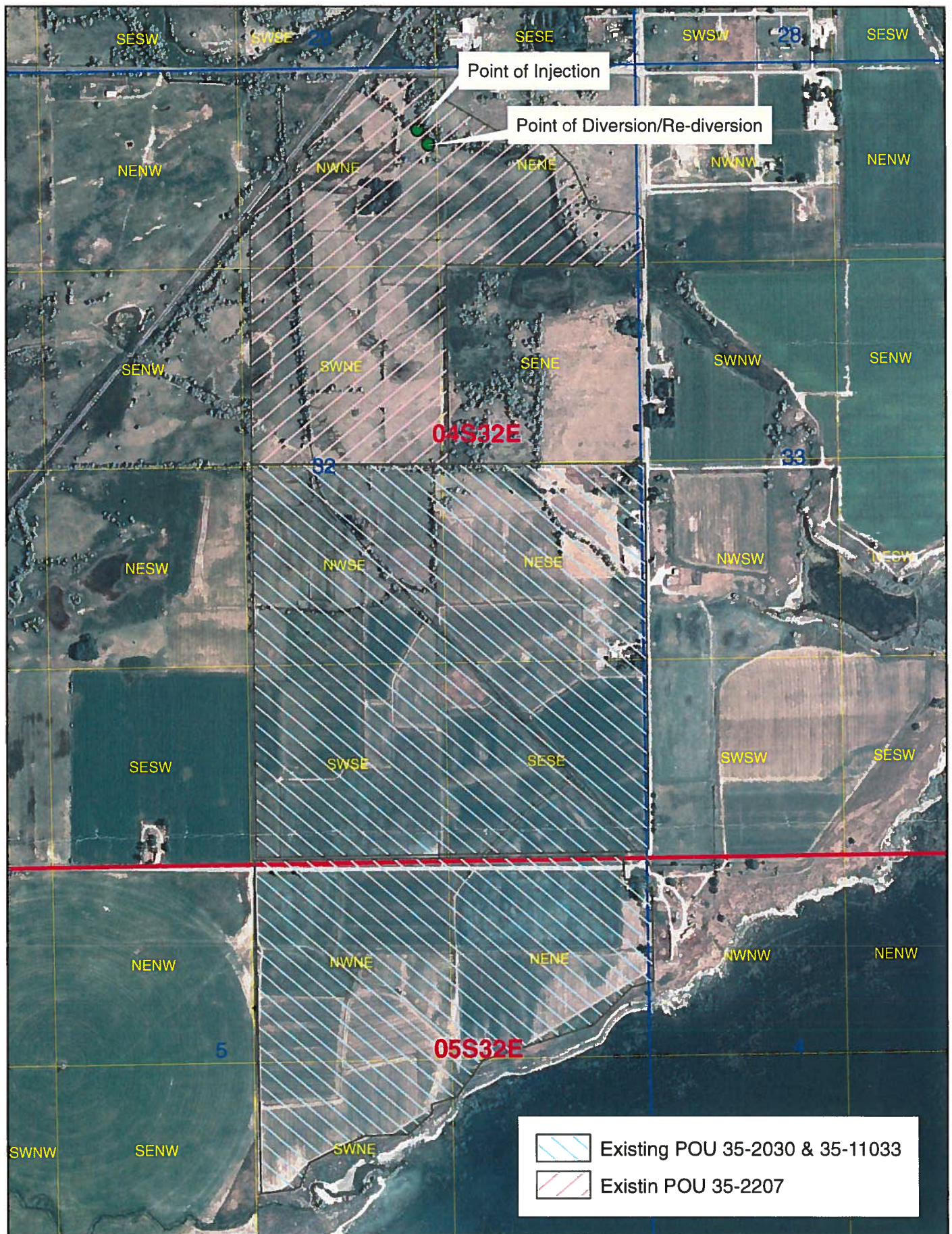
\$160.00 9/21/2011 Km Km Date E036984

Preliminary review completed by _____



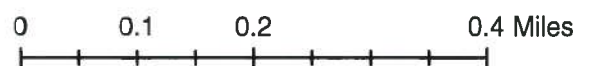
35-2207

77 17 2



Don Adams

77 47 8



Page _____ of _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 35-2207

Current Owner: RUTH MAE ADAMS
DON L ADAMS

Priority Date: 10/29/1951

Origin: Water Right

Status: Active

Basis: Decreed

Source

UNNAMED DRAIN
UNNAMED STREAM

Tributary

SNAKE RIVER
SNAKE RIVER

Beneficial Use

IRRIGATION

From To

4/01 to 10/31

Diversion Rate

1.84 CFS

Annual Volume

Total Diversion

1.84 CFS

Location of Point(s) of Diversion

UNNAMED DRAIN
BINGHAM County
UNNAMED STREAM
BINGHAM County

NE1/4NW1/4NE1/4

Sec. 32, Twp 04S, Rge 32E B.M.

NW1/4SE1/4SW1/4

Sec. 29, Twp 04S, Rge 32E B.M.

Place of Use

IRRIGATION Within BINGHAM County

T04S R32E S32

NENE

20.00

T04S R32E S32

NWNE

32.00

T04S R32E S32

SWNE

40.00

Total Acres: 92

Page _____ of _____

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHTS LISTED ABOVE IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 92 ACRES IN A SINGLE IRRIGATION SEASON.
2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
3. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
4. USE OF THIS RIGHT WITH RIGHT NO. 35-02768 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.84 CFS.
5. SOURCE IS ALSO KNOWN AS ALKALI CREEK.

Decreed Date: 4/1/2003

Page _____ of _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 35-2030

Current Owner: DON L ADAMS
RUTH MAE ADAMS
Priority Date: 5/24/1915
Origin: Water Right
Status: Active
Basis: Decreed

Source

UNNAMED STREAM

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

4/01 to 10/31

Total Diversion

Diversion Rate

4 CFS

4 CFS

Annual Volume

Location of Point(s) of Diversion

UNNAMED STREAM

BINGHAM County

NW1/4SE1/4SW1/4

Sec. 29, Twp 04S, Rge 32E B.M.

Place of Use

IRRIGATION Within BINGHAM County

T04S R32E S32	NESE	39.00	T04S R32E S32	NWSE	39.00
T04S R32E S32	SWSE	39.00	T04S R32E S32	SESE	38.00
T05S R32E S5	Lot 1 NENE	35.00	T05S R32E S5	Lot 2 NWNE	39.00
T05S R32E S5	SWNE	18.00	T05S R32E S5	SENE	1.00

Total Acres: 248

Page _____ of _____

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHT NO. 35-11033 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.60 CFS.
2. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 35-02013, 35-11033.
SOURCE IS ALSO KNOWN AS SPRING CREEK, ALKALI CREEK.
3. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
4. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
5. E02 USE OF THIS RIGHT IS COMBINED WITH WATER FROM ABERDEEN SPRINGFIELD CANAL CO.
6. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 220 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 35-11033 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 248 ACRES IN A SINGLE IRRIGATION SEASON.
7. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Decreed Date: 11/17/2000

Page _____ of _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 35-11033

Current Owner: RUTH MAE ADAMS
DON L ADAMS

Priority Date: 4/1/1939

Origin: Water Right

Status: Active

Basis: Decreed

Source

UNNAMED STREAM

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

4/01 to 10/31

Total Diversion

Diversion Rate

0.6 CFS

0.6 CFS

Annual Volume

Location of Point(s) of Diversion

UNNAMED STREAM

BINGHAM County

NW1/4SE1/4SW1/4

Sec. 29, Twp 04S, Rge 32E B.M.

Place of Use

IRRIGATION Within BINGHAM County

T04S R32E S32	NESE	39.00	T04S R32E S32	NWSE	39.00
T04S R32E S32	SWSE	39.00	T04S R32E S32	SESE	38.00
T05S R32E S5	Lot 1 NENE	35.00	T05S R32E S5	Lot 2 NWNE	39.00
T05S R32E S5	SWNE	18.00	T05S R32E S5	SENE	1.00

Total Acres: 248

Page _____ of _____

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHT NO. 35-02030 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.60 CFS.
2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE, SECTION 42-1412(6), IDAHO CODE.
3. USE OF THIS RIGHT WITH RIGHT NO. 35-02030 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 248 ACRES IN A SINGLE IRRIGATION SEASON.
4. E02 USE OF THIS RIGHT IS COMBINED WITH WATER FROM ABERDEEN SPRINGFIELD CANAL CO.
5. SOURCE IS ALSO KNOWN AS SPRING CREEK, ALKALI CREEK. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 35-02013, 35-02030.

Decreed Date: 11/17/2000

UNLIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that I, DON L. ADAMS, DOB: 1/17/25, of Sterling, Bingham County, State of Idaho, have made, constituted and appointed, and by these presents do make, constitute and appoint my son, STEVEN B. ADAMS, DOB: 7/21/52, as my true, lawful attorney, for me and in my name, place and stead, to manage, control, sell, mortgage, transport, dispose of, convey, encumber or transfer title or possession to, all of my personal belongings and personal assets whether tangible personal property, real estate, or chooses in action, and wherever situated, to ask, demand, collect and receive all sums of money, dividends, interest, payment on account of debts and all property now due or which may hereafter become due and owing to me and give good and valid receipt and discharge for such payment; to manage, control and do any other thing or act which I myself could do were I personally present with respect thereto, to sell, assign and transfer stocks and bonds or other securities standing in my name or belonging to me; to manage real property, to sell, lease, convey title to or mortgage any or all realty in which or to which I may have any interest whatsoever.

To take title to property in my name if he thinks proper, to execute, acknowledge and deliver deed of real property, mortgage, releases, satisfactions and other instruments relating to realty or personal property which he considers necessary; to place and effect insurance, to do business with banks in the name of myself, to sign in my name checks on any accounts standing in my name, and to withdraw funds from said accounts, either checking or savings which I may have in any bank whatsoever; to endorse any checks made payable to me, whether made to me individually or jointly with other persons, and to manage the proceeds thereof; to make such payments and expenditures as may be necessary in connection with any of the foregoing matters or with the administration of my affairs; to retain counsel and attorneys on my behalf, to appear for me in all actions and

proceedings to which I may be a party in the courts, before administrative tribunals, agencies, or otherwise; to commence actions and proceedings in my name if necessary.

This power of attorney shall not be affected by disability of the principal, DON L. ADAMS. It is the intent of the undersigned that the authority conferred hereby shall be exercisable notwithstanding my disability.

HEREBY GIVING AND GRANTING to my said attorney full power and authority to do and perform all and every act and thing whatsoever necessary to be done in the premises, as fully to all intents and purposes as I could or might do if personally present, with full power of substitution and revocation, hereby ratifying and confirming all that my said attorney may do pursuant to this power.

REVOCATION OF PRIOR POWER OF ATTORNEY: I hereby revoke any Power of Attorney that I have previously made.

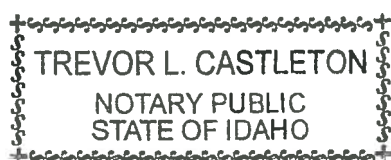
IN WITNESS WHEREOF, I have hereunto set my hand and seal this 12 day of May, 2004.


DON L. ADAMS

STATE OF IDAHO)
: ss.
County of Bingham)

On this 12th day of May, 2004, before me, the undersigned, a notary public in and for said state, personally appeared DON L. ADAMS, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he signed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.




Notary Public for Idaho
My cmn exprs. 12/18/04

UNLIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that I, RUTH M. ADAMS, DOB: 5/4/27, of Sterling, Bingham County, State of Idaho, have made, constituted and appointed, and by these presents do make, constitute and appoint my son, STEVEN B. ADAMS, DOB: 4/21/52, as my true, lawful attorney, for me and in my name, place and stead, to manage, control, sell, mortgage, transport, dispose of, convey, encumber or transfer title or possession to, all of my personal belongings and personal assets whether tangible personal property, real estate, or chooses in action, and wherever situated, to ask, demand, collect and receive all sums of money, dividends, interest, payment on account of debts and all property now due or which may hereafter become due and owing to me and give good and valid receipt and discharge for such payment; to manage, control and do any other thing or act which I myself could do were I personally present with respect thereto, to sell, assign and transfer stocks and bonds or other securities standing in my name or belonging to me; to manage real property, to sell, lease, convey title to or mortgage any or all realty in which or to which I may have any interest whatsoever.

To take title to property in my name if he thinks proper, to execute, acknowledge and deliver deed of real property, mortgage, releases, satisfactions and other instruments relating to realty or personal property which he considers necessary; to place and effect insurance, to do business with banks in the name of myself, to sign in my name checks on any accounts standing in my name, and to withdraw funds from said accounts, either checking or savings which I may have in any bank whatsoever; to endorse any checks made payable to me, whether made to me individually or jointly with other persons, and to manage the proceeds thereof; to make such payments and expenditures as may be necessary in connection with any of the foregoing matters or with the administration of my affairs; to retain counsel and attorneys on my behalf, to appear for me in all actions and

proceedings to which I may be a party in the courts, before administrative tribunals, agencies, or otherwise; to commence actions and proceedings in my name if necessary.

This power of attorney shall not be affected by disability of the principal, RUTH M. ADAMS. It is the intent of the undersigned that the authority conferred hereby shall be exercisable notwithstanding my disability.

HEREBY GIVING AND GRANTING to my said attorney full power and authority to do and perform all and every act and thing whatsoever necessary to be done in the premises, as fully to all intents and purposes as I could or might do if personally present, with full power of substitution and revocation, hereby ratifying and confirming all that my said attorney may do pursuant to this power.

REVOCATION OF PRIOR POWER OF ATTORNEY: I hereby revoke any Power of Attorney that I have previously made.

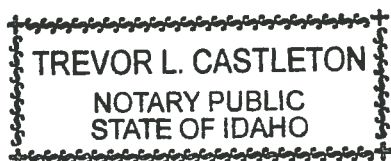
IN WITNESS WHEREOF, I have hereunto set my hand and seal this 12 day of
May, 2004.

Ruth M. Adams
RUTH M. ADAMS

STATE OF IDAHO)
) ss.
County of Bingham)

On this 12th day of May, 2004, before me, the undersigned, a notary public in and for said state, personally appeared RUTH M. ADAMS, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she signed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal
the day and year first above written.



Notary Public for Idaho
My comn expires: 12/18/04